

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	<b>:</b>	<b>CHAPTER 13</b>	<b>Hearing Date: 10/31/23</b>
	<b>:</b>		<b>Time: 10:30 a.m.</b>
	<b>:</b>		<b>Place: Courtroom #2</b>
<b>RUFINO R. WATSON, JR.</b>	<b>:</b>		<b>U.S. Bankruptcy Ct.</b>
	<b>:</b>		<b>900 Market Street</b>
<b>DEBTOR</b>	<b>:</b>	<b>NO. 22-11266 (MDC)</b>	<b>Phila., PA 19107</b>

**MOTION FOR REINSTATEMENT OF THE AUTOMATIC STAY  
PURSUANT TO §362 OF THE BANKRUPTCY CODE**

To the Honorable Magdeline D. Coleman, Chief United States Bankruptcy Judge:

Debtor, by and through his attorney, respectfully requests that this Honorable Court reinstate the automatic stay with respect to his residential property located at 6801 Lynford Street, Philadelphia, PA 19149, which is property of the estate, and in support thereof avers as follows:

1. On May 17, 2022, Debtor filed a chapter 13 bankruptcy petition.
2. On August 4, 2022, AmeriHome Mortgage Company (“AmeriHome”) filed a Motion for Relief from Automatic Stay Under Section 362 (“Motion”).
3. On September 30, 2022, a Stipulation resolving the Motion was filed with the Court..
4. On October 5, 2022 an Order was entered approving the Stipulation.
5. On November 17, 2022, Debtor’s first amended chapter 13 plan was confirmed by this Honorable Court.
6. On August 28, 2023 Amerihome filed a transfer of claim to M & T Bank, pursuant to an Assignment of Claim between the two parties.
7. On August 30, 2023, counsel for M & T Bank served Debtor and counsel with a notice of default under the Stipulation.
8. On September 21, 2023, M & T Bank filed a Certificate of Default under the Stipulation.

9. On September 23, 2023, debtor sent a payment in the amount of \$3,800.00 to M & T Bank, which was delivered on September 25, 2023. Debtor acknowledges that the payment was late and was not for the full amount to cure the post-petition arrears.

10. On September 29, 2023, this Court entered an Order granting the Motion for Relief from Stay.

11. Debtor advises that he fell into arrears with M & T Bank due to an employment suspension from May through September 2023.

12. Debtor has since gone back to work with the same employer on a full-time basis and is in the process of accumulating additional funds. He asserts that on or before the hearing on this Motion, he will be in possession of the funds necessary to cure his post-petition arrears with M & T Bank. In addition, Debtor is current with the trustee payments.

13. Debtor believes that there is an equity cushion in his home.

14. Debtor's home is fully insured.

15. Debtor believes that M & T Bank's interest in Debtor's estate is adequately protected.

16. Debtor believes it is in the best interest of the estate to reinstate the stay against M & T Bank.

**WHEREFORE**, Debtor respectfully prays that this Honorable Court reinstate the automatic stay applicable to M & T Bank.

Dated: October 5, 2023

Respectfully submitted,

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